

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

WOLFRAM ARNOLD, ERIK FROESE,
TRACY HAWKINS, JOSEPH KILLIAN,
LAURA CHAN PYTLARZ, and ANDREW
SCHLAIKJER,

Plaintiffs,

v.

X CORP. f/k/a TWITTER, INC., X
HOLDINGS CORP. f/k/a X HOLDINGS I,
INC. and ELON MUSK,

Defendants.

Case No. 1:23-cv-528-JLH-CJB

UNOPPOSED MOTION FOR LEAVE TO FILE UNDER SEAL

In accordance with Federal Rule of Civil Procedure 26(c) and District of Delaware Local Rule 5.1.3, Plaintiffs Wolfram Arnold, Erik Froese, Tracy Hawkins, Joseph Killian, Laura Chan Pytlarz, and Andrew Schlaikjer (collectively, the “Plaintiffs”) respectfully request that the Court enter an Order permitting them to file Exhibit 11 to their Letter Response to Defendants’ Motion to Quash Non-Party Subpoenas under seal. In support of their Letter Response, Plaintiffs state as follows:

1. Federal Rule of Civil Procedure 26(c) provides that, for good cause shown, the Court may direct certain matters to be sealed or not revealed. In particular, “[d]ocuments containing...confidential business information may be protected from disclosure.” *Leucadia, Inc. v. Applied Extrusion Techs., Inc.*, 998 F.2d 157, 166 (3d Cir. 1993).

2. The presumption of public access is overcome where the material sought to be protected is (1) “the kind of information that courts will protect[,]” and (2) “disclosure will work a clearly defined and serious injury to the party seeking closure.” *In re Cendant Corp.*,

260 F.3d 183, 194 (3d Cir. 2001) (internal quotation marks and citations omitted).

3. The document attached as Exhibit 11 is an email with an Excel spreadsheet containing confidential non-public business information that the Defendants produced to Plaintiffs and designated as confidential. As a result, Plaintiffs are not permitted to disclose the contents of Exhibit 11 without the Defendants' consent.

4. Accordingly, Plaintiffs respectfully submit that good cause exists for allowing them to file Exhibit 11 under seal.

5. Plaintiffs will comply with all applicable procedures regarding filing under seal through the Court's CM/ECF system and will file a redacted version of Exhibit 11 within seven days.

6. Pursuant to District of Delaware Local Rule 7.1.1, counsel hereby certify that a reasonable effort was made to reach agreement with opposing counsel regarding the subject matter of this Motion and opposing counsel indicated that they do not oppose this Motion.

WHEREFORE, Plaintiffs respectfully request that the Court grant this Motion and such further relief as the Court deems just and proper.

OF COUNSEL

Akiva Cohen (*pro hac vice*)
Dylan M. Schmeyer (*pro hac vice*)
Michael D. Dunford (*pro hac vice*)
Lane A. Haygood (*pro hac vice*)
KAMERMAN, UNCYK, SONIKER &
KLEIN P.C.
1700 Broadway, 16th Floor
New York, NY 10019
Tel: (212) 400-4930
acohen@kusklaw.com
dschmeyer@kusklaw.com
mdunford@kusklaw.com

Dated: September 26, 2024

/s/ Joseph L. Christensen

Joseph L. Christensen (#5146)
CHRISTENSEN LAW LLC
1201 N. Market Street, Suite 1404
Wilmington, Delaware 19801
Tel: (302) 212-4330
joe@christensenlawde.com

Attorneys for Wolfram Arnold, Erik

*Froese, Tracy Hawkins, Joseph Killian,
Laura Chan Pytlarz, and Andrew
Schlaikjer*